

DOCKET NO. GB 010016
SERIAL NO. 10/067,364
PATENT

REMARKS

Claims 1 and 3-17 were pending in this application.

Claims 1, 6, 7, 10, 11, and 14- 16 have been rejected.

Claims 3-5, 8, 9, 12, 13 and 17 have been objected to.

Claims 1 and 3-17 remain pending in this application.

Reconsideration and full allowance of Claims 1 and 3-17 are respectfully requested.

I. ALLOWABLE CLAIMS

The Applicants thank the Examiner for the indication that Claims 3-5, 8, 9, 12, 13, and 17 would be allowable if rewritten in independent form to incorporate the elements from their respective base claims and any intervening claims. Because the Applicants believe that the remaining claims in this application are allowable, the Applicants have not rewritten Claims 3-5, 8, 9, 12, 13, and 17 in independent form.

III. REJECTION UNDER 35 U.S.C. § 102

The Office Action rejects Claims 1, 6, 7, 10, 11, and 14-16 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,114,992 to Underbrink ("*Underbrink*"). This rejection is respectfully traversed.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in

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the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

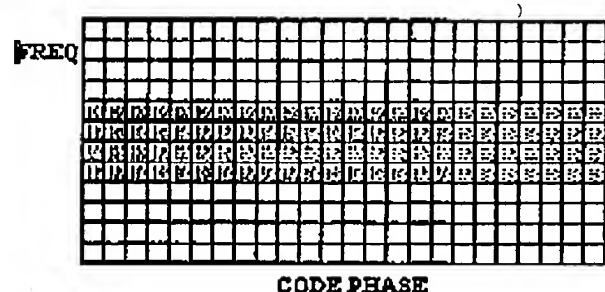
Underbrink recites a system and method for acquiring signals from different satellites. (*Abstract*). The system first acquires at least one signal from at least one satellite. (*Col. 6, Lines 52-62*). The system then uses the frequency of the acquired signal(s) and "maximum changes" that "can occur" in the acquired signal(s) to acquire additional signals. (*Col. 6, Line 63 – Col. 7, Line 6*). The "maximum changes" represent, for example, the maximum potential effects that could occur due to Doppler effects and receiver clock imprecisions. (*Col. 7, Lines 13-19*).

Underbrink simply recites that additional satellite signals may be acquired based on maximum potential effects that "can" occur in one or more acquired signals. In other words, the technique recited in *Underbrink* uses maximum possible changes that might occur in an acquired signal to acquire another signal. *Underbrink* lacks any mention that an additional signal is acquired based on the actual variations in a frequency of a previously-acquired signal. As a result, *Underbrink* fails to anticipate using "frequency information" relating to "variations in the frequency of [a] first acquired signal" to acquire a second GPS signal as recited in Claims 1, 15, and 16.

In addition, despreads a GPS spread spectrum signal requires discrete correlations to be done at each of a combination of frequency and code phase combinations related to the received frequency to check whether the signal has been acquired. Each discrete correlation is termed a dwell in the patent which is a term used in that art and represented by a signal square in the grid

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below. Underbrink uses the measured frequency of a first acquired GPS signal to narrow down the frequency search (represented by the green area highlighted) for a second GPS signal. Underbrink will still have to perform checks / dwells on each of the possible frequency / code phase combinations in the shaded region to acquire the second signal.



Underbrink fails to recite or suggest a single such check or dwell, and Underbrink also fails to recite or suggest using variations of the measured frequency of a single acquired GPS signal to optimise the correlation a single check / dwell.

For these reasons, *Underbrink* fails to anticipate the Applicants' invention as recited in Claims 1, 15, and 16 (and their dependent claims). Accordingly, the Applicants respectfully request withdrawal of the § 102 rejection and full allowance of Claims 1, 6, 7, 10, 11, and 14-16.

IV. CONCLUSION

The Applicants respectfully assert that all pending claims in the application are in condition for allowance and respectfully request an early allowance of such claims.

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SUMMARY

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees and fees for claims added upon amendment, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

Applicants' undersigned attorney may be reached by telephone at the number given below.

Respectfully submitted,

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